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ONE HUNDRED THIRTEENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

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July 31, 2013

President Barack Obama  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

Dear Mr. President,

As members of the House Judiciary Committee, we write to express to you our grave concerns with Attorney General Eric Holder's lack of leadership of the Justice Department. This lack of leadership is borne out by his recent testimony before the Committee and by the Justice Department's handling of criminal investigations involving members of the media. Attached for your review is a report prepared by the Committee entitled *Journalists or Criminals? Attorney General Eric Holder's Testimony before the Committee and the Justice Department's National Security Leak Investigative Techniques*.

The report finds that Mr. Holder provided deceptive and misleading testimony to the Committee. On May 15, 2013, Mr. Holder testified under oath before the House Judiciary Committee that the "potential prosecution" of a member of the media for a violation of the Espionage Act was something that he had never "been involved" in or "heard of." Subsequently, it was revealed that he personally approved a search warrant for Fox News Chief Washington Correspondent James Rosen's emails, alleging to a federal judge that Mr. Rosen was a co-conspirator in an Espionage Act investigation.

We believe that Mr. Holder's simple and direct statement had the intended effect – to leave the members of the Committee with the impression that not only had the potential prosecution of a reporter never been contemplated during Mr. Holder's tenure, but that nothing comparable to the Rosen search warrant had ever been executed by your administration. Mr. Holder was not conversing with fellow prosecutors at the Justice Department; he was speaking to members of Congress and the American people in a venue that requires the utmost candor and clarity.

In addition, the Committee report finds that Mr. Holder and the Justice Department inappropriately interpreted the Privacy Protection Act of 1980 (PPA) to obtain a search warrant

for Mr. Rosen's emails in contravention to congressional intent. Likewise, Mr. Holder's proposal to amend the PPA is unnecessary, offered only as a cover for his testimony and the Department's investigation of journalists.

Mr. Holder's testimony and the Justice Department's targeting of the media is but the latest in a series of controversial and questionable investigations undertaken during your tenure as President that cry out for a change in leadership at the Justice Department.

Sincerely,



BOB GOODLATTE  
Chairman  
House Committee on the Judiciary



HOWARD COBLE  
Member  
House Committee on the Judiciary



STEVE CHABOT  
Member  
House Committee on the Judiciary



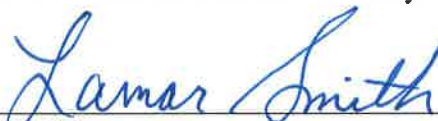
DARRELL E. ISSA  
Member  
House Committee on the Judiciary



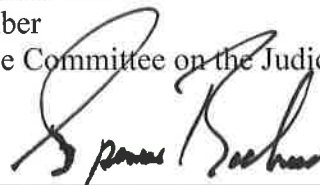
STEVE KING  
Member  
House Committee on the Judiciary



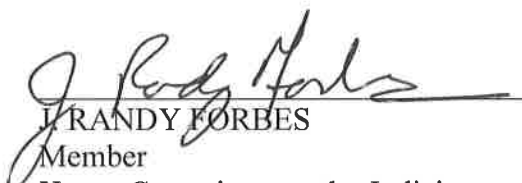
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Member  
House Committee on the Judiciary



TRENT FRANKS  
Member  
House Committee on the Judiciary

President Obama

July 31, 2013

Page 3

  
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Member

House Committee on the Judiciary

  
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